

BILAL A. ESSAYLI
First Assistant United States Attorney
ALEXANDER SCHWAB
Assistant United States Attorney
Acting Chief, Criminal Division
IAN V. YANNIELLO (Cal. Bar No. 265481)
GREGORY W. STAPLES (Cal. Bar No. 155505)
DANIEL H. WEINER (Cal. Bar No. 329025)
Assistant United States Attorneys
1400/1500 United States Courthouse
312 North Spring Street
Los Angeles, California 90012
Telephone: (213) 894-3667/3535/0813
Facsimile: (213) 894-0142
E-mail: ian.yanniello@usdoj.gov
greg.staples@usdoj.gov
daniel.weiner@usdoj.gov

Attorneys for Plaintiff
UNITED STATES OF AMERICA

UNITED STATES DISTRICT COURT

FOR THE CENTRAL DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

No. CR 24-621 (B) -MWF

Plaintiff,

V.

DURK BANKS, et al.,

Defendants.

GOVERNMENT'S NOTICE OF LODGING
UNDER SEAL EXHIBITS 1-6 AND
SUPPLEMENTAL MEMORANDUM IN
OPPOSITION TO DEFENDANT DURK
BANKS' MOTION TO DISMISS FOR
VAGUENESS OR IN THE ALTERNATIVE
FOR A BILL OF PARTICULARS

Plaintiff United States of America hereby files this Notice of Lodging Under Seal Exhibits 1-6 and Supplemental Memorandum in Opposition to Defendant Durk Banks' Motion to Dismiss for Vagueness or in the Alternative for a Bill of Particulars (Dkt. 227).

This filing is based upon the attached memorandum of points and authorities, the attached Exhibits 1-6 (Under Seal), the files and

1 records in this case, and such further evidence and argument as the
2 Court may permit.

3 Dated: November 14, 2025

Respectfully submitted,

4 BILAL A. ESSAYLI
5 First Assistant United States
Attorney

6 ALEXANDER B. SCHWAB
7 Assistant United States Attorney
Acting Chief, Criminal Division

8 /s/
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IAN V. YANNIELLO
GREGORY W. STAPLES
DANIEL H. WEINER
Assistant United States Attorneys

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11 Attorneys for Plaintiff
12 UNITED STATES OF AMERICA

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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 To assist the Court in resolving Defendant Banks' Motion to
3 Dismiss for Vagueness or for a Bill of Particulars, the government
4 hereby lodges under seal Exhibits 1-6. Defendant Banks' Reply in
5 Support of his Motion to Dismiss for Vagueness or for a Bill of
6 Particulars (Dkt. 286) claims that "nowhere does the discovery set
7 forth anything resembling a fixed or coherent theory of the 'time,
8 place, and circumstances' of the 'bounty' allegations or the 'at the
9 direction of' allegations." (Reply at 7.) The statement is not
10 true. For example, the government has produced discovery that
11 explicitly states the time, place, and language used to convey the
12 bounty to at least two different witnesses. See Ex. 1
13 (at Bates_35015-16); Ex. 2 (at Bates_34923); see also Ex. 3
14 (at Bates_33070); Ex. 4 (at Bates_34950-51). The discovery produced
15 to defendants also explicitly states multiple examples of defendant
16 Banks directing his co-conspirators to take actions in furtherance of
17 the murder scheme. See Ex. 5 (at Bates_37195-37200); Ex. 6
18 (at Bates_33244-48). To the extent defense counsel believes these
19 statements do not "resembl[e] a fixed or coherent theory" of this
20 case, they have the right to present that argument to the petit jury.
21 For the reasons set forth in the government's previously filed
22 opposition, the Court should deny this motion.

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